



KITTERY PORT AUTHORITY

November 1, 2012 Meeting Minutes

APPROVED

Kittery Community Center

Members Present: Bob Melanson, Chairman, Barry Bush, Tom Smith, Ray Grenier, Kelly Philbrook, John Carson.

Members Absent: Joan Castellano

Staff: Harbormaster Mike Blake

The meeting of November 1, 2012 was called to order at 6:01 p.m.

1. Pledge of Allegiance

2. Minutes

Mr. Bush moved to accept the minutes of October 4, 2012 as submitted

Mr. Smith seconded

Motion carries unanimously by all members present

Mr. Melanson asked the members if they wished to convene future KPA meetings at 6:00 p.m. There were no objections.

3. Workshop

- Rules & Regulations

Proper notice to hold a public hearing on the KPA Rules and Regulations was not made prior to this meeting. Notice will be made at a later date for a public hearing at the December 6 KPA meeting.

Mr. Melanson suggested a workshop to discuss balance of Rules and Regulation items under consideration on Wednesday, November 14, 2012 at 6:00 p.m. in Kittery Town Hall.

Ms. Philbrook asked about fishing off Frisbee Pier, as it was deeded to the Town for the use of all residents. Mr. Melanson will discuss this with the Town Attorney.

Mr. Melanson pointed out additions suggested by the Town Attorney, included wording under the definition of boundaries and the inclusion of III.D.2, forfeiture notification letters.

Mr. Carson asked if the definition of boundaries should include riparian lines. Following discussion, it was agreed that a separate definition of riparian lines should be included.

Following discussion regarding fees, members agreed to the following changes:

1. Remove reference to winch fees under Section II.H, first paragraph, final sentence;
2. Change Mooring Site Fees (Section X.B.1) to read: Mooring Fee: \$6.00 per foot; minimum \$150 (includes Harbor/Water Usage Fee);
3. Amend Section X.B.6.a. to read: Seasonal Lunch Fee: \$50 (residents and non-residents), includes Harbor/Water Usage Fee)

It was suggested that the fee schedule be provided to all vessel owners in the annual mailing.

Other items to review, discuss and further refine include:

- Fishing Policy
 - Riparian line definition
 - House boats
 - No discharge
 - Signage at KPA facilities
 - Maintenance of facilities managed by KPA
 - Budgets
 - Isle of Shoals moorings
- BIG Project - This item will be included on the November 14 workshop agenda for further discussion.
 - Hurricane Moorings – Members agreed the expense of installing hurricane moorings is unwarranted and could be difficult to install in protected coves. Instead, additional moorings for emergency use will be installed at a cost savings elsewhere.
4. Budget Report
- YTD - The higher budget costs subside in the winter months assuming there is no breakage or emergency repairs.
 - Operating Income/Expense
Harbormaster Blake stated the dumpster fees at Government Street Wharf are very high, exceeding \$450 last month. Discussion followed regarding a carry-out program or a trash can in lieu of the dumpster. Ms. Philbrook stated that law requires a dumpster at a public pier and will research that language. Winter removal would be a compromise.

Mr. Smith moved to remove the Government Wharf dumpster during the winter season, to re-install in April, 2013.

Mr. Carson seconded

Motion carries unanimously by all members present

5. Harbor Master Report

- Some time was spent searching for the missing UNH student. The search has been scaled back;
- Most floats were removed on October 25 with the help of volunteers;
- Gangways were raised in preparation for Hurricane Sandy and the Harbormaster boat was taken out;
- Not many boats were affected by the storm. Storm notifications sent to mooring holders and several responded thanking the KPA for their efforts;
- The Dredge Team meeting was attended by KPA representatives. A meeting followed to bring the KPA up to speed with the time tables and the process for applying for consideration. Because this process involves multiple agencies, the project will take high priority, and Kittery is in contention for the dredge materials. The Wood Island group is also hoping to receive some material for their life-station project.
- Gary Wennburg assisted in pumping out a swamped 24-foot Center Console.
- There is an on-going criminal threatening investigation regarding an incident between lobstermen at Pepperrell Cove. The Marine Patrol had not responded, so the Harbormaster is working with the Kittery Police Department in this matter. A court date is scheduled for mid-November. This is an emotionally charged situation and the KPD are on alert.

Mr. Carson moved to waive annual mooring fees for the ensuing calendar year for those volunteers recommended annually by the Harbormaster to the Kittery Port Authority.

Mr. Smith seconded

Ms. Philbrook noted there may be a negative response from those who feel they or others should be recognized. Mr. Smith noted that the free mooring offered to Frank Frisbee for his use is now being rented out. Discussion followed as to whether this is legal as it is not a commercial mooring.

Motion carries with 5 in favor; 1 opposed (Philbrook); 0 abstentions.

Harbormaster Blake recommended Gary Wennburg and Dick Draper, volunteers, for the 2012/2013 season. Board members discussed what the thresholds would be for such nominations.

Mr. Carson moved to provide free moorings to Gary Wennburg and Dick Draper for 2012-2013 in recognition of their on-going volunteer services to the Port Authority.

Mr. Bush seconded

Mr. Carson concurred that there will be those who will complain, but those who selfishly serve should be recognized.

Motion carries unanimously by all members present

6. Marinas Piers and Floats

- Schedule a Hearing

Application of Laurie Smith at 24 Goodwin Road to amend an approved plan to construct a 4 x 25-foot pier with a 3 x 25-foot ramp and a 10 x 12-foot float. The applicant's agent is Laurie Smith of Clear Water Engineering.

The applicant and agent were not present. Zachery Taylor, present for other applications, explained the amendment request is to reduce the previously approved pier length of 25 feet to 10 feet.

Discussion followed and it was agreed that there was no need to schedule a public hearing for this item as the overall impact has been reduced.

Ms. Philbrook moved to approve the amendment request of Laurie Smith, 24 Goodwin Road, to reduce the pier length from 25 feet to 10 feet.

Mr. Grenier seconded

Motion carries unanimously by all members present

- Rollins Application 76 Chauncey Creek Road Amendment to reduce the pier length from 4 x 20 feet to 4 x 15 feet and change the ramp from 4 x 25 feet to 4 x 30 feet. The KPA previously approved the ramp at 4 x 25 feet.

Following the October 2012 approval, the applicant is requesting an amendment by reducing the pier length by 5 feet and retaining the previously proposed ramp length of 30 feet. Total length into the water remains the same.

Ms. Philbrook moved to grant an amendment request to Sarah Bartlett Upton Rollins to reduce the pier length by 5 feet and build a 30-foot ramp.

Mr. Grenier second

Motion carries unanimously by all members present

- Schedule a Hearing—Application of the Jones Family Trust 12 Chauncey Creek Rd to add a 20 Sq ft landing with a 3 X 30 ft ramp to the existing docking system in order to provide safe access to their floating docks. (As specified in KPA Regulations)
Zachery Taylor, agent, provided the review history leading to this final design before the KPA. The prior design was denied by the Board of Appeals on September 25, 2012. This smaller design has been reviewed by the CEO and Planning Department and they have no objections. The ACOE and the DEP has approved the proposed plan.

Mr. Carson moved to find this application substantially complete and to schedule a public hearing on the Jones Family Trust application. The abutter letter of support should be included in the application.

Ms. Philbrook second

Members agreed a site walk is not needed.

Motion carries unanimously by all members present

7. Public Segment

There was no public comment.

8. Projects

Dredge Project – Discussed earlier. No further discussion

9. Correspondence & Comments to / from the Chair

No comments.

10. Board Members – New and Old Business

No comments.

Harbormaster Blake asked the members to consider a KPA-sponsored dinner for those individuals who have supported the efforts of the Authority, and as an effort to bring the waterfront users together. Discussion followed regarding a convenient date, location and how to financially support the effort. This will be further discussed and pursued.

Mr. Melanson distributed the 1990 Comprehensive Harbor Plan to members for their review. This will need to be updated in the next year.

11. Adjourn

Mr. Carson moved to adjourn

Mr. Smith seconded

Motion carries unanimously by all members present

The KPA meeting of November 1, 2012 adjourned at 8:18 p.m.

Workshop

Harbormaster Blake believes the BIG project is too big. There is no money in the operating budget to support the BIG project. He proposes to reduce the size, possibly through a Tier 1 submittal, and make the project more accessible for fishermen. This will be further discussed at the November workshop.

Submitted by Jan Fisk, November 5, 2012